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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/598,053

08/16/2006

Victor Evgenievich Zhitomirskiy

051862/313418

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7590

08/10/2009

ALSTON & BIRD LLP

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EXAMINER

LEDYNH, BOT L

ART UNIT

PAPER NUMBER

2858

MAIL DATE

DELIVERY MODE

08/10/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10598053	8/16/06	ZHITOMIRSKIY, VICTOR EVGENIEVICH	051862/313418

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EXAMINER

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ART UNIT	PAPER
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2858

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DATE MAILED:

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Commissioner for Patents

1. Applicant's election of species I in the reply filed on 05/07/09 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

2. In the Election Requirement dated 04/07/09, the Examiner stated that "Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention." In the reply filed on 05/07/09, Applicant indicated "at least Claim 19 reads on the elected species." Because of the term "at least," the phrase "at least Claim 19 reads on the elected species" does not fulfill the requirement "identification of the claims encompassing the elected invention." Applicant should have included all the claims encompassing the elected species.

3. Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

/Bot LeDynch/
Bot L LeDynch
Primary Examiner
Art Unit: 2858